

Docket No.: 2927-0168P
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Masaya TSUNODA

Application No.: 10/776,524

Confirmation No.: 4127

Filed: February 12, 2004

Art Unit: 3711

For: METHOD OF DESIGNING GOLF CLUB
HEAD AND GOLF CLUB HEAD

Examiner: S. Passaniti

REPLY TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the Restriction Requirement dated December 9, 2005, the following remarks are respectfully submitted in connection with the above-identified application.

This reply includes:

Remarks

REMARKS

Claims 1-8 are pending in the present application.

The Examiner has required election in the present application between:

Group I, claims 1-4, drawn to a method of designing a golf club head, classified in class 473, subclass 409; and

Group II, claims 5-8, drawn to a golf club head, classified in class 473, subclass 324.

In order to be responsive to the Examiner's Restriction Requirement, Applicant has elected Group II, claims 5-8 for initial examination. However, it is respectfully requested that the Examiner reconsider the Restriction Requirement since no serious burden would be presented to the Examiner by examining all of the claims in a single application.

As set forth in section 803 of the MPEP, the Examiner must examine an application on the merits if the examination of the entire application can be made without serious burden. Two criteria are identified for proper requirement for Restriction:

1. The inventions must be independent or distinct as claimed; and
2. There must be a serious burden on the Examiner if the Restriction is not required.

Applicant respectfully submits that a serious burden has not been placed on the Examiner to consider all of the claims in the single application. The Examiner is respectfully requested to consider all of the claims in the present application and to withdraw the Restriction Requirement.

In order to be responsive to the Examiner's Restriction Requirement, claims 5-8 have been elected with traverse. Applicant reserves the right to file a divisional application directed to the non-elected claims at a later date if it is so desired.

Favorable action on the present application is earnestly solicited.

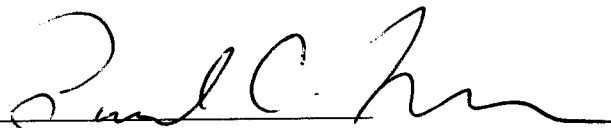
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Paul C. Lewis, Registration No 43,368 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

- ☐ Attached is a Petition for Extension of Time.
- ☐ Attached hereto is the fee transmittal listing the required fees.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: January 9, 2006

Respectfully submitted,

By 
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